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H. STUART CUNNINGHAM  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

BALLY MANUFACTURING CORPORATION, )  
Plaintiff, )  
v. ) Civil Action No. 78 C 2246 ✓  
D. GOTTLIEB & CO., )  
WILLIAMS ELECTRONICS, INC. and )  
ROCKWELL INTERNATIONAL CORPORATION, )  
Defendants. )

and

BALLY MANUFACTURING CORPORATION, )  
Plaintiff, )  
v. ) Civil Action No. 79 C 713 ✓  
GAME PLAN INCORPORATED and )  
ASTRO GAMES, INC., )  
Defendants. )

PLAINTIFF'S MOTION TO DISMISS DEFENDANT  
ASTRO GAMES, INC. WITHOUT PREJUDICE

Plaintiff hereby moves this Honorable Court to  
dismiss without prejudice as to Astro Games, Inc. the  
complaint filed on February 23, 1979. No answer or other  
pleading has been filed by Astro Games, Inc. in response  
to the complaint.

It is the understanding of plaintiff that Astro  
Games, Inc. is insolvent and is involved in some proceedings

under the bankruptcy act. In view of that and the fact that no responsive pleading has been filed, plaintiff moves this Court for an order dismissing Astro Games, Inc. without prejudice.

By

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Jerold B. Schnayer  
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Attorneys for Plaintiff

October 16, 1979

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

BALLY MANUFACTURING CORPORATION, )  
Plaintiff, )  
v. ) CIVIL ACTION NO. 78 C 2246  
D. GOTTLIEB & CO., )  
WILLIAMS ELECTRONICS, INC. )  
and )  
ROCKWELL INTERNATIONAL CORPORATION, ) Judge John F. Grady  
Defendants. )

and

BALLY MANUFACTURING CORPORATION, )  
Plaintiff, )  
v. ) CIVIL ACTION NO. 79 C 713  
GAME PLAN, INCORPORATED and )  
ASTRO GAMES, INC., )  
Defendants. )

NOTICE OF MOTION

TO: John F. Lynch, Esq.  
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PLEASE TAKE NOTICE that the attorneys of record for plaintiff, Bally Manufacturing Corporation shall appear before the Honorable John F. Grady, U.S. District Judge, in the room usually occupied by him or whoever shall be sitting in his stead, on October 17, 1979, 2:00 p.m. or as soon thereafter as counsel can be heard, and will present the attached Plaintiff's Motion to Dismiss Defendant Astro Games, Inc. Without Prejudice.

~~Donald B. Schrage~~  
One of the Attorneys for Plaintiff